UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---X
UNITED STATES OF AMERICA

v.

CURTIS ELLINGTON,

Defendant.
---X

PRETRIAL
SCHEDULING ORDER

7:23-CR-00255 (PMH)

PHILIP M. HALPERN, United States District Judge:

The parties are hereby notified that jury selection and trial in this action are scheduled to begin on **July 7, 2025** at 9:30 a.m. Accordingly, the deadlines for pretrial submissions are as follows:

1. Rule 404(b) evidence (if any) shall be disclosed by no later than **April 11, 2025**. The government shall fully comply with the notice requirements set forth in Rule 404(b)(3), and supplement that disclosure with citation to caselaw authority for the proposed use.

2. The Government's 16(a)(1)(G) expert witness disclosures shall be made no later than **April 11, 2025**.

3. Motions *in limine*, including any government motion to admit or motion to oppose the use of Rule 404(b) evidence, shall be filed by **May 9, 2025**. Opposition shall be filed by **May 16, 2025**. No replies will be permitted.

4. Proposed *voir dire*, requests to charge with exact citation to authority, and a proposed verdict sheet shall be filed by **May 9, 2025**. The parties are directed to meet and confer and agree to the extent possible on the proposed charge. If the defendant disagrees on the charge, it should set forth its proposed charge immediately below the government's proposed charge (with citation to authority) so that the Court has one proposed charge. Counsel are also directed to meet and confer concerning proposed *voir dire* questions and prepare one document setting forth the questions agreed to by the parties and additional questions, if any, that the parties cannot agree to. Counsel for the parties shall also confer and provide to the Court a joint, concise written statement describing the case in an impartial, easily understood manner, for the Court to read to the jury panel prior to *voir dire*.

5. 3500 material and *Giglio* material, if any, shall be produced by **April 25, 2025**, with the Government's consent, with courtesy copies produced to the Court contemporaneously.

6. Marked government case-in-chief exhibits shall be produced by **April 25, 2025**, with courtesy copies produced to the Court contemporaneously. The government's exhibits

shall be marked by numbers and defendant's exhibits by letters. Any objections to the government's case-in-chief exhibits shall be served and filed by **May 9, 2025**.

7. To the extent electronic media is to be used, counsel shall confer with the Courtroom Deputy and A/V Department to ensure the technology is working properly in advance of trial.

8. Counsel shall provide to the Court, not exchange, witness lists no later than **May 9, 2025**. The witness lists shall provide a brief description and the purpose of each witness to be offered. Counsel has a continuing obligation to supplement upon learning of any additional witnesses.

9. Counsel shall confer to agree on any stipulations of fact to be read into the record. The Court strongly encourages those stipulations to be reduced to writing, signed by counsel and the defendant, and submitted to the Court no later than three business days prior to trial.

10. Should the defendant choose to enter a plea of guilty, a Notice of Intent shall be filed at least two business days prior to the final pretrial conference and a copy of the plea agreement, if any, must be immediately provided to the Court by email.

11. Counsel should not expect the Court to hold bench conferences during trial to consider legal issues or evidentiary rulings that could have been raised before trial without a showing that counsel could not, by the exercise of due diligence, have anticipated them prior to trial.

12. Jury selection and trial are scheduled to begin **July 7, 2025** at 9:30 a.m.

13. The final pretrial conference is scheduled for **June 9, 2025** at 2:30 p.m.

14. Time is excluded under the Speedy Trial Act in the interest of justice though June 9, 2025.

SO ORDERED.

Dated: White Plains, New York
         November 25, 2024

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Philip M. Halpern
United States District Judge